

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA

Levern Starr,	)	C/A No.4:13-cv-1033-RBH-KDW
	)	
	)	
Plaintiff,	)	
	)	
v.	)	REPORT AND RECOMMENDATION
	)	
	)	
Solicitor Patricia Singleton Parr,	)	
	)	
	)	
Defendant.	)	
	)	
	)	

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Plaintiff, proceeding pro se and *in forma pauperis*, brought this action alleging violations of his constitutional rights pursuant to 42 U.S.C. § 1983. On September 26, 2013, Defendant Parr filed a Motion for Summary Judgment. ECF No. 48. As Plaintiff is proceeding pro se, the court entered an order on September 27, 2013, pursuant to *Roseboro v. Garrison*, 528 F.2d 309 (4th Cir. 1975), advising him of the importance of motions to dismiss and of the need for him to file an adequate response. ECF No. 49. Plaintiff was specifically advised that if he failed to respond adequately, Defendant's motion may be granted, thereby ending this case. Notwithstanding the specific warning and instructions set forth in the court's *Roseboro* order, Plaintiff failed to respond to Parr's summary judgment motion.

On November 5, 2013, the court ordered Plaintiff to advise whether he wished to continue with the case by November 21, 2013. ECF No. 53. Plaintiff has filed no response. As such, it appears to the court that he does not oppose the motion of Defendant and wishes to abandon this action. Based on the foregoing, the undersigned recommends this action be

dismissed with prejudice for failure to prosecute. *See Davis v. Williams*, 588 F.2d 69, 70 (4th Cir. 1978); Fed. R. Civ. P. 41(b).

IT IS SO RECOMMENDED.

A handwritten signature in black ink, reading "Kaymani D. West". The signature is fluid and cursive, with the first name "Kaymani" being more prominent and the last name "West" following it.

December 16, 2013  
Florence, South Carolina

Kaymani D. West  
United States Magistrate Judge

**The parties are directed to note the important information in the attached  
“Notice of Right to File Objections to Report and Recommendation.”**